

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMES GILLETTE and ERICA
MICHALIGA,

Plaintiffs,

v.

MARK A. CIAVARELLA, JR., MICHAEL T.
CONAHAN, COUNTY OF LUZERNE,
GREG SKREPENAK, TODD
VONDERHEID, SAM GUSTO, SANDRA
BRULO, LUZERNE COUNTY
DEPARTMENT OF JUVENILE
PROBATION, ROBERT J. POWELL,
ROBERT MERICLE, PA CHILD CARE,
MERICLE CONSTRUCTION, INC., PA
CHILD CARE, LLC, WESTERN PA
CHILDCARE, LLC, MID-ATLANTIC
CHILD YOUTH SERVICES, LLC,
POWELL LAW GROUP, P.C., BARBARA
CONAHAN, CINDY CIAVARELLA,
PINNACLE GROUP OF JUPITER, LLC,
GREGORY ZAPPALA, BEVERAGE
MARKETING OF PA, INC., and JOHN
DOE, ESQUIRE,

Defendants.

CIVIL ACTION NO. 3:11-CV-658

(JUDGE CAPUTO)

ORDER

NOW, this 31st day of January, 2012, **IT IS HEREBY ORDERED** that:

(1) Defendant Mark Ciavarella's Motion to Dismiss (Doc. 3) is **GRANTED in part** and **DENIED in part**. As to judicial immunity for the courtroom adjudications and sentences imposed, the motion is **GRANTED**. As to the remainder, the motion is **DENIED**.

(2) Defendant Western PA Child Care, LLC's Motion to Dismiss (Doc. 6) is **GRANTED in part** and **DENIED in part**. As to the claims of a violation of Pennsylvania law under 42 U.S.C. § 1983, the motion is **GRANTED**. As to the remainder, the motion is **DENIED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge